

Seniors Medicare Protection Act of 2010

Many seniors have problems enrolling in Medicare Part B, and experience a gap in health care coverage at a time when they need it most. The Seniors Medicare Protection Act of 2010 would eliminate this gap in coverage by providing eligible seniors with coverage in the event that they did not enroll during the appropriate enrollment periods.

Background

Medicare Part B covers services deemed to be medically-necessary such as doctors' appointments and outpatient care. Seniors transitioning from an employer sponsored health plan and not receiving Social Security benefits are not automatically enrolled in Medicare Part B.

Those not automatically enrolled in Medicare Part B can sign up for the program during the initial enrollment period. The initial enrollment period begins three months before the month in which one turns 65, and extends to three months after the month in which one has turned 65. Those transitioning from employer sponsored health insurance are also entitled to a special enrollment period that lasts up to 8 months after the date that employment ends. Those who do not sign up during either enrollment period will have to wait until the annual open season to enroll in Medicare Part B (January-March).

The maze of timelines and enrollment periods has caused a multitude of problems for my constituents. Some receive conflicting information, while some spend hours of time attempting to navigate the sea of federal bureaucracy that accompanies this program. My greatest concern within this situation is the fact that many seniors experience a gap in healthcare coverage due to problems transitioning into the Medicare program.

There is no data to track how many people experience a gap in coverage while moving from one health plan to Medicare Part B. We do know that each year over 600,000 seniors pay the late fees associated with enrolling in Medicare Part B after their initial enrollment period has ended. For those seniors who experience difficulties transitioning into Medicare Part B during the appropriate enrollment period, it can be extremely difficult to find adequate healthcare in an efficient manner while waiting for Medicare enrollment problems to be resolved. In some cases, it could be possible for a senior to go 18 months without healthcare coverage while waiting to enroll in Medicare Part B.

Legislation

To resolve the aforementioned issues, I have introduced legislation that will provide a safety net for seniors should they experience difficulty transitioning into Medicare Part B. My legislation would create a 24 month extended special enrollment period that every person would be eligible for immediately after the currently established special enrollment period has ended. A person who signs up during the extended enrollment period created through my legislation would be entitled to immediate coverage in the following month after they have enrolled in the program.

This legislation does not seek to eliminate late penalties for not enrolling in Medicare Part B during the appropriate time. To receive immediate coverage under the extended enrollment period established in this legislation, a penalty will be assessed at 25% of the enrollee's premium. The Secretary will be given the discretion to waive this penalty in situations where a waiver can be adequately justified.

By creating an extended enrollment period, I hope to eliminate the loss of coverage that many seniors experience as a result of their difficulties enrolling.